

Meeting Minutes

January 6, 2005

Town of Los Altos Hills

City Council Regular Meeting

Thursday, January 6, 2005 6:00 P.M.

Bullis School Multi-Purpose Room, 25890 Fremont Road

1. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Present: Mayor Mike O'Malley, Mayor Pro Tem Breene Kerr, Councilmember Craig A. T. Jones, Councilmember Jean Mordo and Councilmember Dean Warshawsky

Absent: None

Staff: City Manager Maureen Cassingham, City Attorney Steve Mattas, Planning Director Carl Cahill, Acting City Engineer/Director of Public Works Dave Ross, Administrative Services Director Sarah Joiner and City Clerk Karen Jost

MOTION SECONDED AND CARRIED: Moved by Warshawsky, seconded by Kerr and passed unanimously to limit the length of time for public comments to three minutes.

2. APPOINTMENTS AND PRESENTATIONS

2.1 Appointment to the Santa Clara County Emergency Preparedness Council

City Manager Maureen Cassingham reported that before Council for their consideration was an appointment to the Santa Clara County Emergency Preparedness Council. She explained that former Councilmember Bob Fenwick had represented the Town on the Emergency Preparedness Council during his tenure. Cassingham noted that due to the short notification period of their first meeting held on January 6, 2005, Public Safety Officer Steven Garcia had represented the Town.

Councilmember Jean Mordo offered to serve as the Town's representative to the Council, noting that he had been recently appointed as the Council Liaison to the Los Altos Hills Emergency Preparedness Committee.

PASSED BY CONSENSUS: To appoint Councilmember Jean Mordo to serve as the Town of Los Altos Hills representative to the Santa Clara County Emergency Preparedness Council.

3. PLANNING COMMISSION REPORT

Planning Director Carl Cahill reported that the Planning Commission had not met since the last City Council meeting.

4. CONSENT CALENDAR

Item Removed: 4.3 (Warshawsky)

MOTION SECONDED AND CARRIED: Moved by Warshawsky, seconded by Kerr and passed unanimously to approve the remainder of the Consent Calendar, specifically:

- 4.1 Approval of Minutes: Regular City Council Meeting December 16, 2004
- 4.2 Review of Disbursements: 12/07/2004 – 12/29/2004 \$932,370.47
- 4.3 Approval of an Amendment to the Town's Agreement for Implementation of the Santa Clara Valley Urban Runoff Prevention Program – Resolution # 1-05

Item Removed:

- 4.4 Notification of Fast Track Approval: Request for a Lot Merger of Two Existing Parcels into One 8.03 acre parcel; Lands of Malavalli and Packard, 27500 and 12840 La Vida Real (145-04-LM)

Councilmember Warshawsky explained that he had requested this item be considered separately to bring to the Council and public's attention that this was a merger of two parcels into an 8-acre lot. He believed it was important for residents to remember this during the Pathways hearing process and not always assume that large parcels would be subdivided.

MOTION SECONDED AND CARRIED: Moved by Warshawsky, seconded by Kerr and passed unanimously to accept the notification of Fast Track approval: request for a lot merger of two existing parcels into one 8.03 acre parcel; Lands of Malavalli and Packard, 27500 and 12840 La Vida Real.

Mayor Pro Tem Kerr requested clarification on consent calendar item 4.2 Disbursements, specifically, the engineering costs. Administrative Services Director Sarah Joiner explained that the billings for Mark Thomas & Co. reflected several months of costs because there had been a delay in the billings and most were charges billable to applicants. She added that the Acting City Engineer's consulting fees were approximately what it would cost for a full time staff City Engineer; however, with a staff City Engineer you would have additional staff resource time. The Acting City Engineer provides approximately a fifty percent work schedule.

City Manager Cassingham noted that the recruitment for the new City Engineer was moving forward and explained that this was a particularly challenging position to fill due to the limited number of civil engineers in the municipal work place and the number of cities vying for the top qualified applicants. Cassingham added that the Town was offering a competitive employment package for the position.

5. UNFINISHED BUSINESS

5.1 Town Goals

5.1.1 Complete Town Hall On Time and On Budget

5.1.1a TBI Update

Tony Vierra, TBI Construction Management, presented a status report on the new Town Hall building project. He reported that the roofing was complete; the audiovisual package and landscaping design would be forwarded to the New Town Hall Committee at their next meeting; and to-date the weather had not affected the interior work and the exterior site was being closely monitored. Vierra added that the Contingency Fund was in “good shape”.

Vierra noted that he would be setting up a site visit of the new Town Hall for staff members to afford them the opportunity to provide input on the offices and facility prior to the next New Town Hall Committee meeting.

5.1.2 Identify and Fund Underground Project

Councilmember Warshawsky reported that the Undergrounding Subcommittee had met with Acting City Engineer Dave Ross on January 5, 2005 to review the Pilot Undergrounding Project. The Subcommittee planned to work closely with Ross and to assist in marketing and highlighting public awareness of the project.

Acting City Engineer Ross reported that the project schedule had been prepared and distributed to the Subcommittee. It reflected a summer construction plan for 2006 that would be coordinated with the Town’s pavement projects for cost savings purposes that would permit the economy of scale. Ross added that mapping for the project was underway and he would keep everyone apprised during the course of the project on any changes in the schedule, costs, and scope of work.

5.1.3 Complete Master Pathway Map

Planning Director Carl Cahill reported that the Pathways Committee was extending an invitation to the City Council and Planning Commissioners to attend their January 24, 2005 regular meeting. The Committee would provide a “primer” on the map update process, history of neighbor concerns and a review of the criteria used to formulate their recommendations for the Draft Master Pathway Map. Cahill suggested that this would be a good opportunity for the Councilmembers and Planning Commissioners to ask questions of the Pathways Committee before the scheduled public hearings. The Planning Commission’s public hearing was scheduled for the February 10, 2005 meeting with the map moving forward to the City Council for their review in March. Cahill requested clarification from the Council on whether they would prefer a Special meeting dedicated to the map review or the public hearing incorporated into a regular meeting.

Discussion ensued regarding meeting options. Council consensus was for a Special City Council Meeting to be scheduled for March 8, 2005 for the map public hearing with the

item also agendized with a place holder, if additional time was needed, on the March 9, 2005 Special City Council/New Town Hall Committee meeting.

Cahill explained that a town-wide public notice of the Planning Commission and City Council public hearings would be sent out to advise the residents of the meetings.

City Attorney Steve Mattas clarified that at the March 8th meeting, the City Council would be considering issues on the map but that their final action at the meeting would be the adoption of a General Plan amendment to approve the map. Mattas added that this was a legislative action of the City Council and at the meeting the Council would be considering the entirety of the issue including the recommendations of the Pathways Committee and the Planning Commission, they would hold the public hearing, take comments and then potentially take final action that night. If additional time was required, Council could continue the item to the March 9, 2005 Special City Council/New Town Hall Committee meeting with the appropriate Brown Act noticing of the agenda.

5.2 Request for Supplemental Funding from the Supporters of Westwind Community Barn for Westwind Barn Door Replacement Project

Councilmember Warshawsky recused himself from discussion of the item due to the proximity of his property to the project.

City Manager Maureen Cassingham introduced this item to Council. Council had before them a request from the Supporters of Westwind Community Barn for \$13,100 to augment the SWCB's \$20,000 grant to the Town for the Westwind Barn Door Replacement Project. Cassingham provided Council with an overview of the project and explained that in the course of bidding the project, the lowest and best bid to replace the doors came in at \$29,500 plus \$3,600 for painting. Elaine Nelson, SWCB President, had apprised the Town of the shortfall in funding and had requested Council consideration of the funding difference. Her letter was available to Council in their meeting packet. Staff was suggesting that the allocation be funded from reserves.

Council discussed the request. Councilmember Jones advocated that this was a good example of public and private partnership for a Town project and improvement to a valuable Town asset. Councilmember Mordo disclosed that he formerly served on the Board of Directors of SWCB but had resigned his position. He explained that the concept of sharing in the expense for the project was to leverage funds from donors and Town funds which are derived from the citizens. This is a fair way of distributing the burden of project costs. Mayor Pro Tem Kerr applauded the project but hoped that for future projects the use of Park Bond monies would be investigated. City Manager Cassingham advised Council that staff was working with the State of California Park and Recreation Department to address issues with using state funds for financing improvements at the Barn. Mayor O'Malley suggested that it would be appropriate to see if the Friends of Westwind Barn would be willing to defer their maintenance projects at the Barn to July 1, 2005 to free up the \$6,500 balance in the Town's operating budget line item for barn maintenance to complete the Door Project with the balance of the request from Town reserves. Council concurred and directed the City Manager to approach the Friends of Westwind Barn with the request.

MOTION SECONDED AND CARRIED: Moved by Mordo, seconded by Kerr and passed unanimously with Councilmember Warshawsky recusing himself from the vote (4-0-1) to approve the request from the Supporters of Westwind Community Barn for \$13,100 to complete the Door Project. The Friends of Westwind Barn would be approached to consider postponing their maintenance project until July 1, 2005 to enable the use of the budgeted balance of \$6500 for the Door Project to augment funds from the reserves.

6. NEW BUSINESS

6.1 Discussion of Revitalization of Soccer Playing Fields at the Bullis-Purissima School Site

Item continued to the January 20, 2005 City Council meeting.

7. REPORTS FROM COMMITTEES, SUB-COMMITTEES, AND COUNCILMEMBERS ON OUTSIDE AGENCIES

7.1 Submittal of the Public Education Survey Final Report and Draft Press Release – Public Education Committee

Roger Burnell, Public Education Committee Chair, addressed the Council. He reported that the Public Education Survey Final Report and cover letter was being submitted to the City Council by action of the PEC taken at their meeting of December 14, 2004. Burnell explained that the survey project was deemed complete and the Committee was requesting Council approval of the draft press release accompanying the report and permission to post the survey and cover letter to the Town's website.

Councilmember Jones congratulated the Committee on their efforts and reemphasized the importance of the issue the Committee was charged to address, bringing a public elementary school back to Los Altos Hills. He noted that the Town is the only city on the Peninsula without a public elementary school within its boundaries and qualified that Town residents are also in the minority in both school districts that serve the community. He encouraged the Committee to continue their efforts and expressed his hope that in 2005, the City Council would work towards rectifying this situation. Jones added that the Survey illustrated that there was a solid consensus among Town residents that they would support any rational, feasible solution to the issue.

Mayor O'Malley applauded the Committee membership for their dedication and numerous volunteer hours they have given to the issue. He concurred that the document was a viable and scientifically supported report that reflected the Town's desire for a public school in Los Altos Hills.

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Warshawsky and passed unanimously to receive and file the Public Education Survey Final Report, accompanying cover letter and to approve release of the press report.

COUNCILMEMBER REPORTS ON OUTSIDE AGENCIES

Mayor Pro Tem Kerr reported that he had been in discussions with the VTA regarding the El Monte/Moody Road corridor. The City of Los Altos has expressed support for the project and the use of the funds that had been targeted for their now cancelled Hetch Hetchy Pathway. Kerr expressed his desire for Town staff to move forward with a proposal and define the parameters of the project.

Councilmember Warshawsky reported that he had attended the Emergency Communications Committee regular meeting. This was his first meeting as Council Liaison to the body. The Committee had discussed the new emergency communications antenna to be built at Town Hall. Warshawsky requested clarification of the project from staff. Planning Director Cahill explained that the funding for the antenna had been approved by the City Council, however, the location and specifics of the antenna were still under consideration by the Planning Commission. The Commission had requested that the Committee meet with the neighbors to address their issues with the project.

Mayor Pro Tem Kerr expressed his concern that the antenna location could present a problem for the new solar panels if it creates a shadow on a solar panel. Cahill responded that he would advise the Committee of Kerr's concerns.

Mayor O'Malley reported that he had attended a recent meeting had been called to address the use of the Town ring and one little league field for the possible temporary location of the Bullis Charter School. Meeting participants had included representatives of the Charter School, Horseman's Association and Los Altos/Los Altos Hills Little League. O'Malley commented that the meeting had been amenable but that no resolution had been reached. The Little League expressed that they needed all four fields for scheduling their events and were adamantly opposed to the use of any of the fields; the Horseman's Association had claimed that the Open Space Initiative precluded any use for the ring other than recreation without a vote from the Town residents; and a participant claimed that the grant deed for the ring property from Palo Alto specified that if the property was used for any purpose other than recreation, the property would revert back to the City of Palo Alto.

8. STAFF REPORTS

8.1 City Manager

City Manager Cassingham deferred to Acting City Engineer Dave Ross for a status report on the current discussion of a proposed traffic signal by the City of Palo Alto to be located at Arastradero and Fremont. Ross clarified for the Council, that a draft environmental document had been distributed for comments in December by Palo Alto. Palo Alto was proposing the traffic signals as mitigation for a 300,000 square foot development project being proposed by Stanford for research and office space. Ross added that he had been in touch with Palo Alto staff and that they were seeking the Town's input as part of the project's planning process. This would enable the City to require Stanford to pay for the installation of the signals if traffic created by the Stanford proposed development warranted them.

Council, following a brief discussion, directed staff to send a comment letter to the City of Palo Alto expressing their concerns that additional traffic on Arastradero created by the proposed development would have an adverse environmental impact on this environmentally sensitive area.

8.2 City Attorney

8.3 City Clerk

8.3.1 Report on Council Correspondence

9. COUNCIL-INITIATED ITEMS

None

10. PRESENTATIONS FROM THE FLOOR

Nancy Couperus, Page Mill Road, invited the Council and interested residents to attend a forum sponsored by the League of Women Voters on "Conservation Easements-Land Preservation Tools for Local Communities" to be held on February 6, 2005 from 3 to 5 p.m. She announced that in addition to the excellent speakers and forum participants, the Wallace Stegner Environmental Award would be presented to Lois Crozier Hogle. Mayor O'Malley would present the award to recipient Crozier Hogle.

11. PUBLIC HEARINGS

None

The City Council adjourned to the Closed Session at 7:25 pm.

12. CLOSED SESSION

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: Government Code Section 54956.9(a): Town of Los Altos Hills v. Los Altos School District

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: Government Code Section 54956.9(a): Campbell and Ligeti v. Town of Los Altos Hills

The City Council reconvened to the Regular City Council meeting at 7:35 p m.
No action was taken.

13. ADJOURNMENT

There being no further business, the Regular City Council meeting was adjourned at 7:36 p.m.

Respectfully submitted,

Karen Jost
City Clerk

The minutes of the January 6, 2005 Regular City Council Meeting were approved as read at the January 20, 2005 Regular City Council Meeting.